

000FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE REV. 2/01T		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER  09471.0017 U.S. APPLICATION NO. (If known, see 37 CFR 1.8)  <b>10/522252</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO.  PCT/FR2003/002382	INTERNATIONAL FILING DATE  July 28, 2003	PRIORITY DATE CLAIMED  July 26, 2002
TITLE OF INVENTION: ORAL PHARMACEUTICAL FORMULATION IN THE FORM OF A PLURALITY OF MICROCAPSULES FOR PROLONGED RELEASE OF ACTIVE PRINCIPLE(S) WITH SLOW SOLUBILITY		
APPLICANTS FOR DO/EO/US: 1) Florence GUIMBERTEAU, 2) Catherine CASTAN, and 3) Rémi MEYRUEIX		
Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/>	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C 371.	
2. <input type="checkbox"/>	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.	
3. <input type="checkbox"/>	This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.	
4. <input checked="" type="checkbox"/>	The US has been elected by the expiration of 19 months from the priority date (Article 31).	
5. <input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a. <input type="checkbox"/>	is attached hereto (required only if not communicated by the International Bureau).
	b. <input checked="" type="checkbox"/>	has been communicated by the International Bureau.
	c. <input type="checkbox"/>	is not required, as the application was filed with the United States Receiving Office (RO/US).
6. <input checked="" type="checkbox"/>	An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a. <input checked="" type="checkbox"/>	is attached hereto.
	b. <input type="checkbox"/>	has been previously submitted under 35 U.S.C. 154 (d)(4).
7. <input checked="" type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
	a. <input type="checkbox"/>	are attached hereto (required only if not communicated by the International Bureau).
	b. <input type="checkbox"/>	have been communicated by the International Bureau.
	c. <input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.
	d. <input checked="" type="checkbox"/>	have not been made and will not be made.
8. <input type="checkbox"/>	An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
9. <input type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	
10. <input checked="" type="checkbox"/>	An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).	
Items 11 to 20 below concern document(s) or information included:		
11. <input checked="" type="checkbox"/>	Information Disclosure Statement under 37 CFR 1.97 and 1.98	
12. <input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13. <input type="checkbox"/>	A <b>FIRST</b> preliminary amendment.	
14. <input type="checkbox"/>	A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.	
15. <input type="checkbox"/>	A Substitute specification.	
16. <input type="checkbox"/>	A change of power of attorney and/or address letter.	
17. <input type="checkbox"/>	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.	
18. <input type="checkbox"/>	A second copy of the published international application under 35 U.S.C. 154 (d)(4).	
19. <input type="checkbox"/>	A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).	
20. <input checked="" type="checkbox"/>	Other items or information:	
	a. <input checked="" type="checkbox"/>	Copy of cover page of International Publication No. WO 2004/010983 A2
	b. <input type="checkbox"/>	Copy of Notification of Missing Requirements.
	c. <input checked="" type="checkbox"/>	Request For Substitution Of Replacement Sheets.
	d. <input checked="" type="checkbox"/>	Verification of Translation.

U.S. APPLICATION NO. (If known, see 37CFR 1.5) <b>10/522252</b>		INTERNATIONAL APPLICATION NO. PCT/FR2003/002382		ATTORNEY'S DOCKET NUMBER 09471.0017																																																																																																																																																																						
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table> <tr> <td colspan="2"><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b></td> <td><b>\$300.00</b></td> </tr> <tr> <td colspan="2">National Stage Search Fee.....</td> <td>\$500.00</td> </tr> <tr> <td colspan="2">National Stage Examination Fee.....</td> <td>\$200.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></td> <td colspan="2">\$1000.00</td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of additional 50 or fraction thereof (rounded up to a whole number)</th> <th>Rate</th> </tr> </thead> <tbody> <tr> <td>31- 100 =0</td> <td>/50=</td> <td></td> <td>x 250.00</td> </tr> </tbody> </table> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30</p> <table> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>15</td> <td>- 20 = 0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>-3 = 0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="3"><input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+\$360.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF THE ABOVE CALCULATIONS =</b></td> <td colspan="2">\$1360.00</td> </tr> <tr> <td colspan="6"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.</td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>SUBTOTAL =</b> \$1360.00</td> </tr> <tr> <td colspan="6">Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30</td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b> \$1360.00</td> </tr> <tr> <td colspan="6">Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +</td> </tr> <tr> <td colspan="6" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b> \$ 1360.00</td> </tr> <tr> <td colspan="6" style="text-align: right;">Amount to be refunded:</td> </tr> <tr> <td colspan="6" style="text-align: right;">charged:</td> </tr> <tr> <td colspan="6"> <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1360.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> </td> </tr> <tr> <td colspan="6">NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</td> </tr> <tr> <td colspan="6">SEND ALL CORRESPONDENCE TO:</td> </tr> <tr> <td colspan="6">Finnegan, Henderson, Farabow, Garrett &amp; Dunner, L.L.P.</td> </tr> <tr> <td colspan="6">1300 I Street, N.W.</td> </tr> <tr> <td colspan="6">Washington, D.C. 20005-3315</td> </tr> <tr> <td colspan="6">EFC/FPD/sci</td> </tr> <tr> <td colspan="6">DATED: January 25, 2005</td> </tr> <tr> <td colspan="6" style="text-align: right;"></td> </tr> <tr> <td colspan="6" style="text-align: right;">SIGNATURE</td> </tr> <tr> <td colspan="6" style="text-align: right;">Ernest F. Chapman/25,961</td> </tr> <tr> <td colspan="6" style="text-align: right;">NAME/REGISTRATION NO.</td> </tr> </tbody></table>						<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>		<b>\$300.00</b>	National Stage Search Fee.....		\$500.00	National Stage Examination Fee.....		\$200.00	<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1000.00		Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate	31- 100 =0	/50=		x 250.00	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	15	- 20 = 0	x \$50.00	Independent Claims	2	-3 = 0	x \$200.00	<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$1360.00		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.						<b>SUBTOTAL =</b> \$1360.00						Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30						<b>TOTAL NATIONAL FEE =</b> \$1360.00						Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +						<b>TOTAL FEES ENCLOSED =</b> \$ 1360.00						Amount to be refunded:						charged:						<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1360.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>						NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.						SEND ALL CORRESPONDENCE TO:						Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.						1300 I Street, N.W.						Washington, D.C. 20005-3315						EFC/FPD/sci						DATED: January 25, 2005												SIGNATURE						Ernest F. Chapman/25,961						NAME/REGISTRATION NO.					
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>		<b>\$300.00</b>																																																																																																																																																																								
National Stage Search Fee.....		\$500.00																																																																																																																																																																								
National Stage Examination Fee.....		\$200.00																																																																																																																																																																								
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1000.00																																																																																																																																																																						
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate																																																																																																																																																																							
31- 100 =0	/50=		x 250.00																																																																																																																																																																							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																																																																																																							
Total Claims	15	- 20 = 0	x \$50.00																																																																																																																																																																							
Independent Claims	2	-3 = 0	x \$200.00																																																																																																																																																																							
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00																																																																																																																																																																							
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$1360.00																																																																																																																																																																						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.																																																																																																																																																																										
<b>SUBTOTAL =</b> \$1360.00																																																																																																																																																																										
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30																																																																																																																																																																										
<b>TOTAL NATIONAL FEE =</b> \$1360.00																																																																																																																																																																										
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. +																																																																																																																																																																										
<b>TOTAL FEES ENCLOSED =</b> \$ 1360.00																																																																																																																																																																										
Amount to be refunded:																																																																																																																																																																										
charged:																																																																																																																																																																										
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1360.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>																																																																																																																																																																										
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																																																																																																																																																										
SEND ALL CORRESPONDENCE TO:																																																																																																																																																																										
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.																																																																																																																																																																										
1300 I Street, N.W.																																																																																																																																																																										
Washington, D.C. 20005-3315																																																																																																																																																																										
EFC/FPD/sci																																																																																																																																																																										
DATED: January 25, 2005																																																																																																																																																																										
																																																																																																																																																																										
SIGNATURE																																																																																																																																																																										
Ernest F. Chapman/25,961																																																																																																																																																																										
NAME/REGISTRATION NO.																																																																																																																																																																										

10/52252  
DT01 Rec'd PCT/PTC 25 JAN 2005

PCT/FR2003/002382  
Florence GUIMBERTEAU et al.  
Attorney Docket No. 09471.0017

**TRANSLATION OF THE ANNEXES TO THE  
PRELIMINARY EXAMINATION REPORT**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**REQUEST FOR SUBSTITUTION OF REPLACEMENT SHEETS**

Please substitute the attached replacement sheets 1-7 of the claims containing the translation of the Article 34 Amendments for sheets 23-29 of the claims in the enclosed translation of the as-filed PCT application. It is respectfully requested that the claims in the substitute sheets be examined during examination of the patent application. Claims 1-14 are currently pending.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 25, 2005

EFC/FPD/sci

By:

  
Ernest F. Chapman  
Reg. No. 25,961

10152252  
DT01 Rec'd PCT/PTC 25 JAN 2005

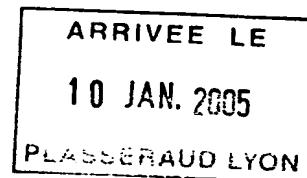
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/FR2003/002382



VERIFICATION OF A TRANSLATION

I, Charles Edward SITCH BA,

Deputy Managing Director of RWS Group Ltd UK Translation Division UK Translation Division, of Europa House, Marsham Way, Gerrards Cross, Buckinghamshire, England declare:

That the translator responsible for the attached translation is knowledgeable in the French language in which the below identified international application was filed, and that, to the best of RWS Group Ltd knowledge and belief, the English translation of the amended sheets of the international application No. PCT/FR2003/002382 is a true and complete translation of the amended sheets of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: January 7, 2005

Signature : 

For and on behalf of RWS Group Ltd

Post Office Address :

Europa House, Marsham Way,

Gerrards Cross, Buckinghamshire,

England.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/FR2003/002382

VERIFICATION OF A TRANSLATION

I, Charles Edward SITCH BA,

Deputy Managing Director of RWS Group Ltd UK Translation Division, of Europa House, Marsham Way, Gerrards Cross, Buckinghamshire, England declare:

That the translator responsible for the attached translation is knowledgeable in the French language in which the below identified international application was filed, and that, to the best of RWS Group Ltd knowledge and belief, the English translation of the international application No. PCT/FR2003/002382 is a true and complete translation of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: January 7, 2005

Signature :



For and on behalf of RWS Group Ltd

Post Office Address :

Europa House, Marsham Way,

Gerrards Cross, Buckinghamshire,

England.